

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**ALOFT MEDIA, LLC,** §  
§  
**Plaintiff,** § **Civil Action No. 6:08-CV-51-LED**  
v. §  
§ **JURY TRIAL DEMANDED**  
**MICROSOFT CORPORATION, ET AL.,** §  
§  
**Defendants.** §

**STIPULATION TO DISMISS INFOR GLOBAL SOLUTIONS,  
INC., INFOR GLOBAL SOLUTIONS (ALPHARETTA), INC.,  
AND INFOR GLOBAL SOLUTIONS (GEORGIA), INC.**

Plaintiff Aloft Media LLC (“Aloft”), and Defendants Infor Global Solutions, Inc., Infor Global Solutions (Alpharetta), Inc., Infor Global Solutions (Georgia), Inc., and Infor Global Solutions (Michigan), Inc. (collectively, “the Infor Defendants”), pursuant to Fed. R. Civ. P. 29 and 41, hereby stipulate as follows:

Infor Global Solutions (Michigan), Inc. represents that Infor Global Solutions, Inc. was merged into Infor Global Solutions (Michigan), Inc., with the surviving entity being Infor Global Solutions (Michigan), Inc., as of January 31, 2007;

Infor Global Solutions (Alpharetta), Inc. and Infor Global Solutions (Georgia), Inc. represent that they do not make, use, sell, offer to sell or import for sale in the United States any of the products accused of infringement in the Third Amended Complaint or any products that are substantially similar and have not done so, and that they do not otherwise infringe, induce the infringement of, or contribute to the infringement of the patents-in-suit in the Third Amended Complaint and have not done so;

Infor Global Solutions (Michigan), Inc. represents that it does make, use, sell, offer to sell or import for sale in the United States the products accused of infringement in the Third Amended Complaint, and that it is the entity that obtains the revenues from such activity as well as the revenue from any consulting services, maintenance fees, and support services associated with the products accused of infringement in the Third Amended Complaint;

Infor Global Solutions (Michigan), Inc. represents that it will be responsible for any judgment in this case based on its own actions, the actions of Infor Global Solutions, Inc. prior to its merger into Infor Global Solutions (Michigan), Inc., and/or any other actions that are attributable to Infor Global Solutions (Michigan), Inc.

The Infor Defendants each represent that neither they nor their affiliates will file a declaratory judgment action with respect to the patents-in-suit in the Third Amended Complaint, except as a counterclaim in this action;

Infor Global Solutions (Alpharetta), Inc. and Infor Global Solutions (Georgia), Inc. agree to cooperate in responding to any discovery request served on Infor Global Solutions (Michigan), Inc. to the extent responsive discovery is in the possession of Infor Global Solutions (Alpharetta), Inc. or Infor Global Solutions (Georgia), Inc.;

Aloft agrees to dismiss without prejudice its claims against Infor Global Solutions (Alpharetta), Inc. and Infor Global Solutions (Georgia), Inc. set forth in the Third Amended Complaint, pursuant to Fed. R. Civ. P. 41.

Aloft further agrees to dismiss without prejudice Infor Global Solutions, Inc. from this action, pursuant to Fed. R. Civ. P. 41.

The Infor Defendants agree that if Aloft contends that discovery later shows that Infor Global Solutions (Alpharetta), Inc. or Infor Global Solutions (Georgia), Inc. is making, using, selling, offering for sale or importing accused products or products substantially similar to the accused products in the United States or has done so, the Infor Defendants will not challenge the jurisdiction of this Court or raise this stipulation in any opposition to a motion to add Infor Global Solutions (Alpharetta), Inc. and Infor Global Solutions (Georgia), Inc. to the complaint.

The Infor Defendants further agree that if Infor Global Solutions (Alpharetta), Inc. or Infor Global Solutions (Georgia), Inc. is subsequently added to the complaint, the time limitation on damages under 35 U.S.C. § 286 against such entity shall be calculated as six years prior to the date of filing of the Third Amended Complaint.

This Stipulation does not affect claims by and between Aloft and the defendants in this case other than the Infor Defendants.

With respect to one another, Aloft, Infor Global Solutions (Alpharetta), Inc., and Infor Global Solutions (Georgia), Inc. shall each bear their own costs and attorneys' fees.

/s/ Craig Tadlock

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